

OVERNIGHT[TC \11 "]

Mr. Richard Owens
President
ABC Coke Division
Post Office Box 10246
1000 Main Street
Birmingham, Alabama 35202

Re: Consent Agreement and Final Order No. CWA-04-2014-4507(b)
National Pollutant Discharge Elimination System Permit No.: AL0003417
Birmingham, Alabama

Dear Mr. Owens:

Please find enclosed the proposed Consent Agreement and Final Order (CA/FO), Docket No. CWA-04-2014-4507(b), which the U.S. Environmental Protection Agency Region 4 offers to enter into with the ABC Coke Division of the Drummond Company. If you agree with the terms of the enclosed CA/FO, please sign and return the document to Ms. Alenda Johnson, of my staff, within seven days of your receipt of this letter.

After receiving the signed CA/FO, the EPA must place it on public notice in accordance with 40 Code of Federal Regulations Part 22. The public notice will be on the EPA Region 4 website at the following internet address: [HYPERLINK "<http://www.epa.gov/region4/water/wpeb>."] The comment period will remain open for 30 days. This CA/FO may not be finalized by the EPA until 10 days after the closure of the comment period. Once the public comment period is exhausted and the CA/FO is signed by the EPA, an executed copy will be sent to the Regional Judicial Officer. Upon approval by the Regional Judicial Officer, the CA/FO will be filed with the Regional Hearing Clerk who will mail a copy to you. The CA/FO will become effective upon filing with the Regional Hearing Clerk.

Please note that a settlement does not relieve your client of its obligation to comply with all applicable provisions of federal, state or local law, nor shall it be construed to be a ruling on, or determination of, any issue related to any federal, state or local permit.

Should you have any questions, please contact Ms. Kavita Nagrani, Assistant Regional Counsel, at (404) 562-9697.

Sincerely,

Maurice L. Horsey, IV, Chief
Municipal & Industrial Enforcement Section
Clean Water Enforcement Branch

Enclosure

Johnson Mattox White Horsey Nagrani Ghosh